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MAY 25 2001

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JOEL D. BONFIGLIO

May 25, 2001

via Hand Delivery

Magalie Roman Salas, Secretary
Office of The Secretary
Office of Managing Director
Federal Communications Commission
445 Twelfth Street, SW, TWA325
Washington, DC 20554


Re: ***Ex Parte* Presentation of Bachow/Coastel,
L.L.C., WT Docket No. 97-112, CC Docket No. 90-6**

Dear Ms. Salas:

Bachow/Coastel, L.L.C. ("Bachow/Coastel"), by its attorneys, herewith files with the Commission an original and one copy of this *ex parte* letter to ALLTEL Corporation ("ALLTEL"), which Bachow/Coastel copied to the Commission. Bachow/Coastel herewith files two additional copies of this letter with the Commission due to the second docket number attached to this proceeding. Bachow/Coastel does not believe that its attached letter to ALLTEL constitutes an *ex parte* filing under the Commission's rules and precedent, but is filing this notification with the Commission out of an abundance of caution.

If you have any questions concerning this matter, or if you require additional information, kindly contact Bachow/Coastel's undersigned counsel.

Cordially,


Steven J. Hamrick

Counsel to Bachow/Coastel, L.L.C.

Attach.

134938

May 24, 2001

VIA FACSIMILE: (813) 866-1000
ORIGINAL VIA FIRST CLASS MAIL

Paul Bowersock
Market Area President – Florida
ALLTEL Communications
14055 Riveredge Drive
Suite 600
Tampa, FL 33637

Dear Paul:

We have reviewed your May 1, 2001 letter and the supplemental material forwarded on May 8, 2001. I think that we do have a framework within which we can work together. I propose the following modifications to your proposal:

1. Rates – We would propose \$.02/ minute for calls originating or terminating on the covered sectors and \$.05/ minute for long distance trunking. We are fine with the \$.01/minute for local trunking. All trunking charges assume you are providing the interconnection for us at the cell sites covered by the agreement. As far as roaming, we would propose \$.35/minute airtime for calls originating on the Coastel Gulf sectors we are discussing (to be reciprocal for Coastel subscribers roaming on the ALLTEL system). We assume standard provisions regarding data collection and auditing would be incorporated in the definitive agreement.
2. We will agree to *de minimis* extensions throughout the Gulf, provided that ALLTEL agrees to grant comparable extensions to us (through collocation or other comparable arrangement) such that the best server line is maintained at the low water mark.
3. An agreement between us would moot our outstanding oppositions regarding Mobile, and we would make the requisite filings with the FCC to terminate the complaint. An agreement would also moot ALLTEL's filings in that proceedings, and ALLTEL should withdraw its STA request for the Mobile MSA (FCC File No. 0000223356) and its request for waiver in the Mobile MSA, as well as agree to not pursue any further appeals with the FCC or any court of law concerning the Mobile complaint proceeding (FCC File No. WB/ENF-F-98-005). Bachow/Coastel will agree to withdraw its Phase II application for the Mobile MSA (FCC File No. 0000113774).
4. We certainly understand that you would like to address future and new sites on an as needed basis. However, we would suggest that this agreement serve as a template for any other site(s) (other than Florida) located no further inland than the Orange Beach and the proposed Fort Morgan site.

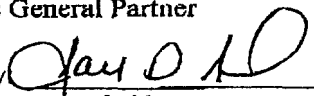
5. With regard to the Florida STAs, we would request that you consult with us before filing an STA. ALLTEL should provide reasonable advance written notice of 30 days before filing for any STA, or any STA renewal, that extends its Service Area Boundary ("SAB") contours into the Gulf. Furthermore, ALLTEL should agree that it will not file an STA request with the FCC for a site in Florida that will overlap the SAB contours of a cell site(s) in which Bachow/Coastel holds an interest (including but not limited to either through an FCC license or an agreement, such as the Cell Sharing Agreement for the Mexico Beach, FL site). Bachow/Coastel will agree not to file for STA for any site that would overlap the SAB contour of an ALLTEL cell site. Other than that, the Florida coast will be specifically excluded from the scope of this agreement.
6. The Agreement we reach would have to survive the outcome of the pending FCC rulemaking. To this end, Alltel will agree to file a joint motion with Bachow/Coastel that requests the FCC to grandfather this agreement so that it survives any rules that the FCC adopts in the Gulf rulemaking proceeding. In addition, we would also suggest that upon execution of this settlement agreement, we would file a joint petition to the FCC that requests that the FCC terminate the pending rulemaking proceeding (CC Docket No. 90-6, WT Docket No. 97-112) without adopting new rules for cellular service in the Gulf. This petition could cite our agreement as evidence that the marketplace is capable of resolving disputes without the adoption of new FCC rules, and also cite the changed circumstances in the Gulf over the last four years, and the absence of any outstanding complaint proceedings in the Gulf (once we reached a settlement agreement) as reasons for maintenance of the current regulatory scheme.
7. We would both agree not to take any action, including legislative action, to undercut the intent of the agreement.

While we do believe that the proposed engineering is somewhat problematic and will result in some water capture by ALLTEL, we are attempting to operate in good faith. As neighbors, we are hopeful that the trade-offs will go both ways and we are both reasonable going forward. I am available to speak with you at any time in order to settle any outstanding issues that need resolution. Please feel free to call me with any questions or concerns at 610-660-4900.

Sincerely,

BACHOW/COASTEL, LLC

By: Bachow/Coastel, Inc.
Its General Partner

By: 
Jay D. Seid
Vice President

cc: Steve Hamrick, Esquire, *Fleischman & Walsh*
Distribution List (*Attached*)

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From: Jay D. Seid (610) 660-4900, ext. 264
jseid@bachow.com

To: Paul Bowersock, ALLTEL Communications **Fax:** 813-866-1000
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Date: May 24, 2001 **Time:** 3:49:31 PM

Pages: 4 (including this one)

Original to follow via:

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